

REMARKS

Claims 14-27 now appear in this application for the Examiner's review and consideration. Claims 1-13 have been cancelled. The new claims are supported by the previous claims and the specification so that there is no issue of new matter.

In response to the restriction to species requirement, applicants elect, with traverse, Species 3, the method that reads on Figure 6, for prosecution at this time. It is respectfully submitted that all three Species along with all of the current claims should be examined together at this time.

The invention relates to an annealing step that is used to treat a semiconductor substrate. The office action suggests that each of the specific embodiments of the annealing step are different and can be considered as separate inventions, but this misses the inventive concept of using an anneal to treat a semiconductor substrate as claimed in the generic claims. The purpose of the anneal is to assist in smoothing of the free surface and render more effective the subsequent chemical mechanical polishing step which prepares the surface for further processing. This result is achieved regardless of the specific time when the anneal is conducted. While certain specific anneal steps are preferred for use in the invention, these are not deemed to be separate and distinct inventions simply because of the preferred benefits that they provide.

Currently, at least claim 14-17 and 24-27 specifically read on this Species, with claims 14-17 and 27 being generic to the features of all Figures. For this reason, the Examiner is actually evaluating all embodiments when reviewing those claims. For all these reasons, it is believed that all current Figures and claims should be examined together at this time.

Furthermore, based on the prior art of record, it is respectfully submitted that independent claim 14 is in condition for allowance, early notice of which would be appreciated. Since the generic claim is allowable, all dependent claims should be allowed as well so that a single patent can issue for all embodiments.

Respectfully submitted,

Date

12/22/03

Allan A. Fanucci

  
30,256  
(Reg. No.)

**WINSTON & STRAWN**  
CUSTOMER NO. 28765  
(212) 294-3311